

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
SW/S Circle Road, approx. 550' SW
of Lake Roland Drive * DEPUTY ZONING COMMISSIONER
(1824 Circle Road)
9th Election District * OF BALTIMORE COUNTY
4th Councilmanic District * Case No. 95-318-A

Peter C. Gerard, et ux
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 1824 Circle Road, located in the Lake Roland/Ruxton area of Towson. The Petition was filed by the owners of the property, Peter C. and Sophie M. Gerard, through their attorney, Robert A. Hoffman, Esquire. The Petitioners seek relief from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section 202.2 of the 1955 B.C.Z.R.) to permit a front lot line setback of 40 feet in lieu of the required 50 feet for a proposed two-story addition in accordance with the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners also seek relief, pursuant to Section 202.3 of the B.C.Z.R., in that the proposed addition will be placed in what should be considered the side yard of the subject property which is not a "corner lot", and thus, no variance is required.

After due consideration of the relief requested, the site plan submitted and documentation contained in the case file, I am inclined to agree with the Petitioners that the proposed addition will be located in the side yard and that the subject property is not a corner lot. This property is an irregularly shaped parcel located along a curve in Circle Road. The dwelling on the property is situated such that the side of the

ORDER RECEIVED FOR FILING

Date

By


MICROFILMED

dwelling on which the proposed addition is to be placed fronts Circle Road. Thus, in the opinion of this Deputy Zoning Commissioner, the requested variance is not necessary and shall be dismissed as moot.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be dismissed.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 20th day of April, 1995 that the Petition for Administrative Variance seeking relief from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section 202.2 of the 1955 B.C.Z.R.) to permit a front lot line setback of 40 feet in lieu of the required 50 feet for a proposed two-story addition, in accordance with Petitioner's Exhibit 1, be and is hereby DISMISSED AS MOOT.

IT IS FURTHER ORDERED that inasmuch as the proposed addition will be located in the Petitioner's side yard, no variance is necessary.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 4/26/95
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 20, 1995

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR ADMINISTRATIVE VARIANCE
SW/S Circle Road, approx. 550' SW of Lake Roland Drive
(1824 Circle Road)
9th Election District - 4th Councilmanic District
Peter C. Gerard, et ux - Petitioners
Case No. 95-318-A

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been dismissed in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy M. Kotroco", is written over the typed name.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Peter C. Gerard
1824 Circle Road, Ruxton Md. 21204

People's Counsel

✓ File

316



Petition for Administrative Variance

95-318-A

to the Zoning Commissioner of Baltimore County

for the property located at 1824 Circle Road, Ruxton, Maryland 21204
which is presently zoned DR1

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.B of the Baltimore County Zoning Regulations (Section 202.2 of the 1955 Baltimore County Zoning Regulations) to permit a 40 ft. front lot line setback in lieu of the required 50 ft. setback.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See Attached Affidavit

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

Robert A. Hoffman, Esquire

(Type or Print Name)

Signature Venables Baetjer & Howard
210 Allegheny Avenue 494-6262

Address Towson, Maryland 21204 Phone No.

City State Zipcode

Legal Owner(s):

Peter C. Gerard

(Type or Print Name)

Signature

Sophie M. Gerard

(Type or Print Name)

Signature

1824 Circle Road

Address

Phone No.

Ruxton, Maryland 21204

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted

Robert A. Hoffman, Esquire

Name 210 Allegheny Avenue

Towson, Maryland 21204 494-6262

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: _____ DATE: _____

ESTIMATED POSTING DATE: _____

ITEM #: _____

DROP-OFF
No REVIEW
3/14/95 WCR

ORDER RECEIVED FOR FILING
4/20/95
Date

615

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

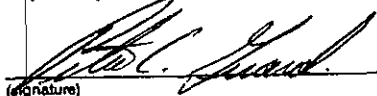
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1824 Circle Road
address
Ruxton, Maryland 21214
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

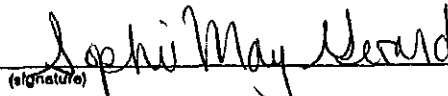
SEE ATTACHED AFFIDAVIT

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.


(signature)

Peter C. Gerard
(type or print name)




(signature)

Sophie M. Gerard
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:


I HEREBY CERTIFY, this 10th day of March, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Peter C. Gerard and Sophie M. Gerard

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

3/10/95
date


NOTARY PUBLIC
Christine R. Oregon
My Commission Expires: 7/1/98

7/1/98
7/1/98
7/1/98

AFFIDAVIT

95-318-A


We are asking for this variance to construct a modest addition to our residence on Circle Road. It's purpose is to allow for more space for our growing family. We have 3 children, ages 15, 11 and 10. This will provide some much needed "room to breath." The addition must be located where indicated on the plan since it will provide additional kitchen/dining room space, living room space and two additional bedrooms all in concert with the location of the existing living space.

Because of the relationship between the panhandles and Circle Road, the building envelope is an extremely awkward configuration and is unique even for Circle Road which has other lots that obtained variances (see Case Nos. 65-319-A, 68-117-A, 70-180-A, 72-132-A and 85-246-A). This awkward configuration has made the modest addition shown on the site plan practically difficult. I have spoken with each of my neighbors and none have objected to the addition and variance.

The addition will be constructed closer to Circle Road and not closer to my neighbors' houses. Therefore, it will not create an adverse impact and is consistent with the spirit and intent of the Zoning Regulations.

Our attorney asked us to include the following paragraph:

Because this is a 6-lot subdivision that was approved in accordance with the 1955 Regulations, the setbacks are greater than they would have been had the subdivision been applied for under today's Regulations. Additionally, it is our belief that this should be considered a side yard under Section 202.3 of the 1955 Baltimore County Zoning Regulations that is not a "corner lot" and that no variance should be required.


Peter C. Gerard


Sophie M. Gerard

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:


I HEREBY CERTIFY, this 10th day of March, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Peter C. Gerard and Sophie M. Gerard, the Affiants herein, personally known or

95-318-A

satisfactorily identified to me as such Affiants, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of their knowledge and belief.

AS WITNESS my hand and Notarial Seal

3/16/95
date


Notary Public
Christine D. Gregory
My Commission Expires: 7/1/98

TO1DOCS1/RAH01/0003114.01

316

ZONING DESCRIPTION FOR 1824 Circle Road, Ruxton, Maryland 21204
(address)
Election District 9th Councilmanic District 4th

Beginning at a point on the south side of Circle
(north, south, east or west)
Road 25 ft.
(street on which property fronts) which is (number of feet of right-of way width)
width at a distance of 1600 feet west 1 of the
(number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street Lake Roland Drive
(name of street)
which is 25 ft. wide. *Being Lot # 1,
(number of feet of right-of-way width)
Block ---, Section # --- in the subdivision of
Circle Hill as recorded in Baltimore County Plat
(name of subdivision)
Book # GLB 25, Folio # 7, containing
1.173 acres
(square feet and acres)

MICROFILMED

...

#316
REV 3/29/95

95-318-A

MICROFILMS:

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-318-H

District 9th Date of Posting 3/24/95
Posted for: Variance
Petitioner: Peter G. + Sophie Gerard
Location of property: 1824 Circle Rd, SW/S
Location of Signs: Facing road way, on property, being zoned
Remarks: _____
Posted by M. H. H. H. Date of return: 3/31/95
Signature
Number of Signs: 1





Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date 3/29/95

Account: R-001-6150

Number 316 (WCR)

DROP-OFF ---- NO REVIEW

#100 - REVISIONS ----- \$50.00
(Revised Plats, Descriptions, Photos)

Legal Owner: Peter C. & Sophie M. Gerard
1824 Circle Road

APPROVED
3/30/95

Check from Venable, Baetjer
and Howard

DEPARTMENT OF PUBLIC WORKS

3/30/95

RECEIVED

Please Make Checks Payable To: Baltimore County

Cashier Validation



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-318-A

Account: R-001-6150

Number 316 (WCR)

DROP-OFF — NO REVIEW

Date 3/14/95

#010 - VARIANCE ----- \$50.00
#080 - SIGN POSTING ----- 35.00
TOTAL ----- \$85.00

Legal Owner: Peter C. Gerard & Sophie M. Gerard
1824 Circle Road
Area: 1.173 acres
District: 9c4
Zoning: D.R.-1
Attorney: Robert A. Hoffman

Check from
Venable, Baetjer & Howard

PAID TO ORDER

COMMUNICATIONS
ON 0202:53PM 11-11-95

340.00

Please Make Checks Payable To: Baltimore County

Cashier Validation



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date 3/14/95

95-318

Account: R-001-6150

Number 316 (WCR)

DROP-OFF — NO REVIEW

#010 - VARIANCE ----- \$50.00
#080 - SIGN POSTING --- 35.00
TOTAL ----- \$85.00

Legal Owner: Peter C. Gerard & Sophie M. Gerard
1824 Circle Road
Area: 1.173 acres
District: 9c4
Zoning: D.R.-1
Attorney: Robert A. Hoffman

Check from
Venable, Baetjer & Howard

03A03H00B1M1CHRC
BA 0002#53FMD3-14-95

\$85.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

VENABLE, BAETJER & HOWARD, LLP

CHECK NO.

0003043

OUR REF. NO.	YOUR INVOICE NO.	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	DISCOUNT TAKEN	NET CHECK AMOUNT
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03/10/95

\$85.00

25551:111121 - Peter Gerard - 1824 Circle Road

Baltimore County, Maryland

\$50.00 Administrative Variance Filing Fee

35.00 Posting Fee

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Provisional Approval

Permit No: B227511

1824 Circle Road

LOCATION: Ruxton, Md 21204

DATE: 3/16/95

The issuance of this permit in no way grants or implies approval of any matter relating to this property which is in conflict with the Baltimore County Zoning Regulations.

The issuance of this permit is subject to the following Conditions:
(Please check appropriate box(es))



Owner has filed for a public hearing, Item # 316.



Owner must file for a public hearing within _____ days before the Zoning Commissioner requesting relief from all conflicts with the Baltimore County Zoning Regulations.



Owner/contract purchaser must submit a complete revised site development plan and requested accompanying information within _____ days resolving all possible conflicts with the Baltimore County Zoning Regulations.

The owner/contract purchaser may proceed at his own risk with the construction indicated in the above-referenced permit.

However, in the event that any or all of the above conditions are not completed as stipulated, and/or the petition for relief has been denied, dismissed or withdrawn, this provisional approval is rescinded forthwith.

Immediately thereafter the owner/contract purchaser must return the property to the condition it was in prior to the beginning of said construction and accepts full financial liability in the matter.


DIRECTOR OF ZONING ADMINISTRATION
AND DEVELOPMENT MANAGEMENT

I have read the above statement and I agree to abide by the decision of the Zoning Commissioner if applicable in this matter. I also hereby certify that I the undersigned am in fact the owner and if applicable the contract purchaser and not just an agent for same.

Signed _____
Owner

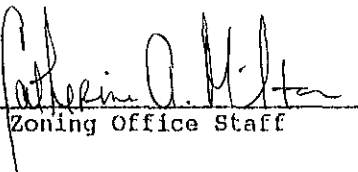
(Please print clearly)

Name Peter C. Gerard
Address 1824 Circle Rd.
Ruxton, MD 21204
Work Phone # 296-1063
Home Phone #

Signed _____
Contract Purchaser

(Please print clearly)

Name _____
Address _____
Work Phone # _____
Home Phone # _____


Zoning Office Staff

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March 23, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-318-A (Item 316)
1824 Circle Road
SW/S Circle Road, approximately 550' SW of Lake Roland Drive
9th Election District - 4th Councilmanic
Legal Owner(s): Peter C. Gerard and Sophie M. Gerard

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before March 26, 1995. The closing date (April 10, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Robert A. Hoffman, Esq.

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Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 5, 1995

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: Item No.: 316
Case No.: 95-318-A
Petitioner: Peter Gerard, et ux

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on March 14, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)





**Maryland Department of Transportation
State Highway Administration**

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

3-24-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: * 316 (WCR)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 03/22/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF MAR. 27, 1995

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 314, 315, 316, 317,
318, 319 AND 320. 5

RECEIVED

MAR 24 1995

ZADM

MICROFILMED

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



JOHN F. LEBLANC

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: *pub* Arnold Jablon, Director DATE: April 3, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for April 3, 1995
Items 314, 315, 316, 317, 318, 319, and 320

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

RWB:sw

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BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 4/3/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 3/27/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 314
315
316
317
318

LS:sp

LETTY2/DEPRM/TXTSBP

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March 22, 1995

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, MD 21204

95-318

RE: Preliminary Petition Review (Item #316)
Legal Owner: Peter C. & Sophie M. Gerard
1824 Circle Road
9th Election District

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$50.00 revision fee.

See attached hearing checklist, which has been marked up to reflect the comments of this office.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Catherine A. Milton".
Catherine A. Milton
Planner I

CAM:scj

Enclosure (receipt)

cc: Zoning Commissioner



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 7, 1995

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, MD 21204

95-318-A
Closing Date 4/10

RE: Preliminary Revision Review (Item #316)
Legal Owner: Peter C. & Sophie M. Gerard
1824 Circle Road
9th Election District

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced revisions were accepted for filing without a final filing review by the staff. The revisions were accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed no unaddressed zoning issues and/or incomplete information. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$50.00 revision fee.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "C. Milton", is written over a horizontal line.

Catherine A. Milton
Planner I

CAM:scj

Enclosure (receipt)

cc: Zoning Commissioner





ZONING

HEARING CHECKLIST

REVISED 5/94

This checklist is provided to you, for your information only, and is not to be considered legal advice.

First, and most importantly: You must understand that the relief you have requested is a quasi-judicial decision and you are responsible for meeting the burden of law required by the Baltimore County Zoning Regulations (BCZR). A judicial hearing is an adversary process and, therefore, there may be opposition to your request. During a judicial hearing, the parties will be permitted to testify, present evidence, and cross-examine witnesses. Either the Zoning Commissioner or the Deputy Zoning Commissioner will rule on the evidence and testimony to determine whether or not the petition will be granted.

Second: You must understand that if a hearing is required, you are permitted to have representation by an attorney of your choice. You are not required to have an attorney, but it is recommended that you consider obtaining legal representation. But, if you are incorporated, it is considered a requirement that you be represented by an attorney.

Third: It is strongly recommended that you read and understand the requirements of the BCZR.

Fourth: No employee of Office of Zoning Administration and Development Management may provide legal advice to anyone. The representatives and opinions of any employee are not to be construed as definitive in any case. Only the decision of the Zoning Commissioner rendered after the statutory required public hearing is considered dispositive in matters relating to the interpretation of the BCZR.

Even though there may not be opposition in a given case, your request may be denied.

For further information or to make an appointment, please contact:



Development Control
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Room 109
Towson, MD 21204
Telephone: 887-3391

Individual Residential Lots

Variances Special Hearings

MICROFILMED

Plan Requirements

12 copies required. The plan shall be legible and clear enough for microfilming and in no case can it be larger than 24" x 36". Plans must be trimmed or folded to 8 1/2" x 11". They shall contain all the information as set forth below:

1. NORTH ARROW, ELECTION AND COUNCILMANIC DISTRICTS, OWNER'S NAME, PROPERTY ADDRESS, DATE, AND TITLE OF PLAN "PLAN TO ACCOMPANY HEARING."
2. SCALE OF DRAWING: 1"=20' or 1"=50'. If land area exceeds 40 acres, use 1"=100'.
3. OUTLINE OF PROPERTY: indicated by a heavy bold line. Include lot lines, distances and area of the parcel(s) by square feet and acreage. (To determine acreage, divide square feet by 43,560.)
4. VICINITY MAP: 1"=1,000' must be included on all plans WITH THE SITE CLEARLY AND ACCURATELY DEPICTED. THE VICINITY MAP MUST BE ON THE SAME SHEET AS THE SITE PLAN.
5. ZONING HISTORY: Case number(s), date of the Order(s), decision(s) and restriction(s) of any prior zoning hearings must be listed and addressed on the plan.
6. OWNERSHIP: of all adjacent parcels, including owner's names, lot numbers, subdivision names, tax account numbers, and/or deed references. (This information is available from the Tax Assessment Office, 2nd floor, Jefferson Building, 105 W. Chesapeake Avenue, Towson.)
7. LOCATION: Street address and name of adjoining street(s), beginning point of description and distance from property corner to the nearest intersecting public street centerline. (Check record plats, State tax maps, or utility maps in Room 206, County Office Building.) This beginning point and distance should also be the first statement in the zoning description.
8. STREET AND EASEMENT WIDTH: Include all boundary streets with existing and proposed right of way and paving widths. Include any existing or proposed easements or rights of way and indicate if they are public or private.
9. BUILDINGS: Location, dimensions, height, and use of all existing buildings and improvements with building-to-property line and building-to-building setbacks shown for each structure. Also, the front orientation of any dwellings and the use, dimension, and location of all proposed buildings or additions and the proposed use if the use is to be changed. The general use, building, and lot dimensions and all facing property line setbacks of buildings on adjoining lots.
10. FRONT AVERAGE SETBACKS: If a new dwelling is proposed or a proposed addition is located on the street side (front) and if either adjacent lot is unimproved and your property is zoned D.R. 2, D.R. 3.5 or D.R. 5.5, then you must show on your site plan the front setback of all dwellings on your side of the street within a distance of 200 feet from the joint side property lines.
11. UTILITIES: Show the location and size of all public utilities and rights of way on and adjacent to the site. If no public utilities exist, well and septic locations and setbacks must be indicated. (Public utilities reference - Room 206, County Office Building.)

- _____ 12. FEATURES: Location of streams, stormwater management systems, drainage pipe systems on or within 50 feet of the property, and the 100-year floodplain, if any. If not in the floodplain, note this on the plan.
- _____ 13. B.O.C.A.: Buildings must meet the building code and fire code requirements with regard to type of construction, windows, setbacks, etc.
- _____ 14. SPECIAL REQUIREMENTS: For special hearings on two-apartment dwellings, floor plans detailing each floor with room sizes and uses are required. For waterfront construction such as piers, ask for a copy of the waterfront construction checklist (available in Room 109).

ALL OF THE ABOVE INFORMATION MUST BE COMPLETE AND ACCURATE OR THE PETITION CANNOT BE ACCEPTED FOR FILING.

EXAMPLE 3 - Zoning Description

- 3 copies

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR _____
(address)

Beginning at a point on the _____ side of _____
(north, south, east or west) (name of
_____ which is Plat shows 50'
street on which property fronts) (number of feet of right-of-way width)

wide at the distance of _____ of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street

_____ (name of street)
which is ? wide. *Being Lot # _____,
(number of feet of right-of-way width)

Block _____, Section # _____ in the subdivision of _____
(name of subdivision)

as recorded in Baltimore County Plat Book # _____, Folio # _____, containing

_____. Also known as _____
(square feet or acres) (property address)

and located in the _____ Election District, _____ Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber _____, Folio _____" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

1811 Circle Road
Ruxton, Maryland 21204-6416
telephone: 410-247-8700 x299
facsimile: 410-247-9672

1349-95
3/28/95
TO file
MS

March 27, 1995

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Ave.
Towson, MD 21204

Att: Arnold Jablon, Director

Re: CASE NUMBER 95-318-1 (Item 316)
1824 Circle Road
SW/S Circle Road, approximately 550' SW of Lake Roland Dr.
9th Election District - 4th Councilmanic
Legal Owner(s): Peter C. Gerard and Sophie M. Gerard

Gentlemen:

We are writing in support of the Zoning Variance requested by Mr. and Mrs. Gerard and urge Baltimore County Office of Zoning Administration and Development Management to grant the requested zoning variance.

My wife, Lisa M. Tate, and I are the legal owners of the property across Circle Road from the Gerard property. We have reviewed the Gerard's architectural plans and reviewed the requirement for a variance and believe that their addition to their home will be an asset and an improvement to the Circle Road community.

Sincerely,

William J. Tate

William J. Tate

c/c Mr. and Mrs. Peter C. Gerard

RECEIVED
MAR 28 1995

ZADM

MICROFILMED

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147

VENABLE
ATTORNEYS AT LAW

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

1054-75
Drop-off
(W) in
Kevian
Mar 3/13

316

March 10, 1995

Hand Delivery

Mr. Carl Richards
Zoning Administration and Development
Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Property Owner - Peter and Sophie Gerard
Location - 1824 Circle Road, Ruxton, Maryland 21204
Petition for Administrative Zoning Variance

Dear Mr. Richards: *Carl:*

I am hereby drop filing the enclosed Administrative Zoning Variance Petition with regard to the above captioned property. Kate Milton is familiar with this property and the reasoning behind this variance request.

If you or Kate have any questions, please give Rob Hoffman or myself a call.

Sincerely,

Barbara

Barbara W. Ormord
Legal Assistant

Enclosure

cc: Peter C. Gerard
Robert A. Hoffman, Esquire

RECEIVED
MAR 10 1995

ZADM



95-318-A



95-318-A



95-318-A

MICROFILMED



67-26-1000

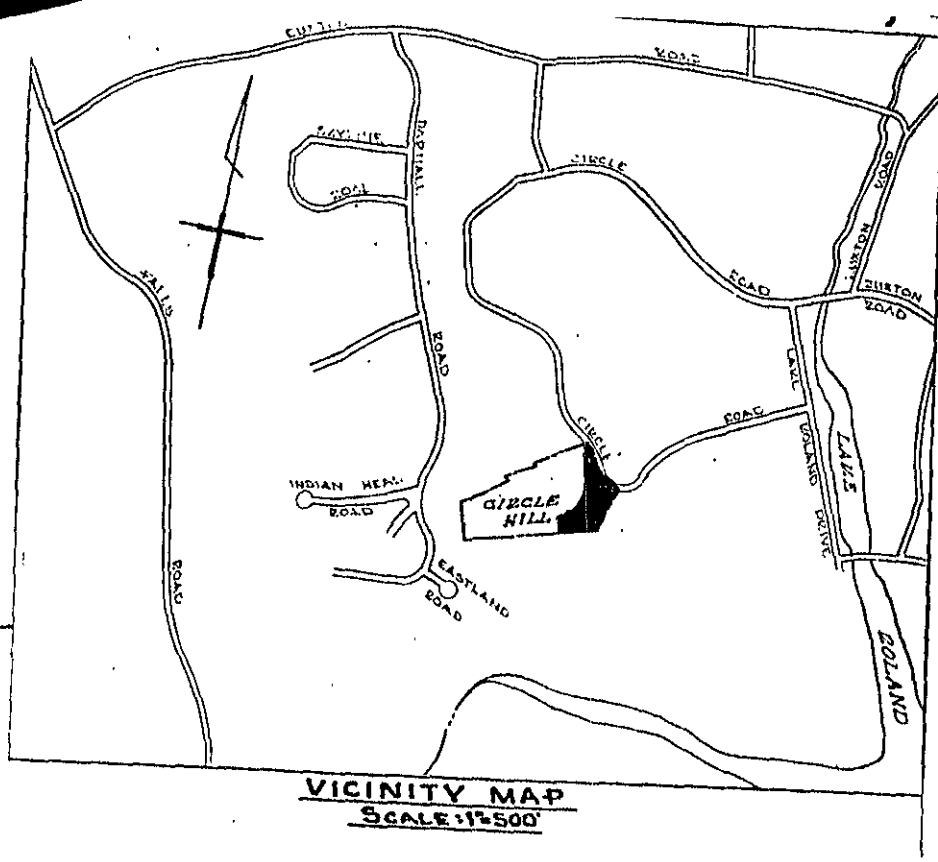
95-318-A



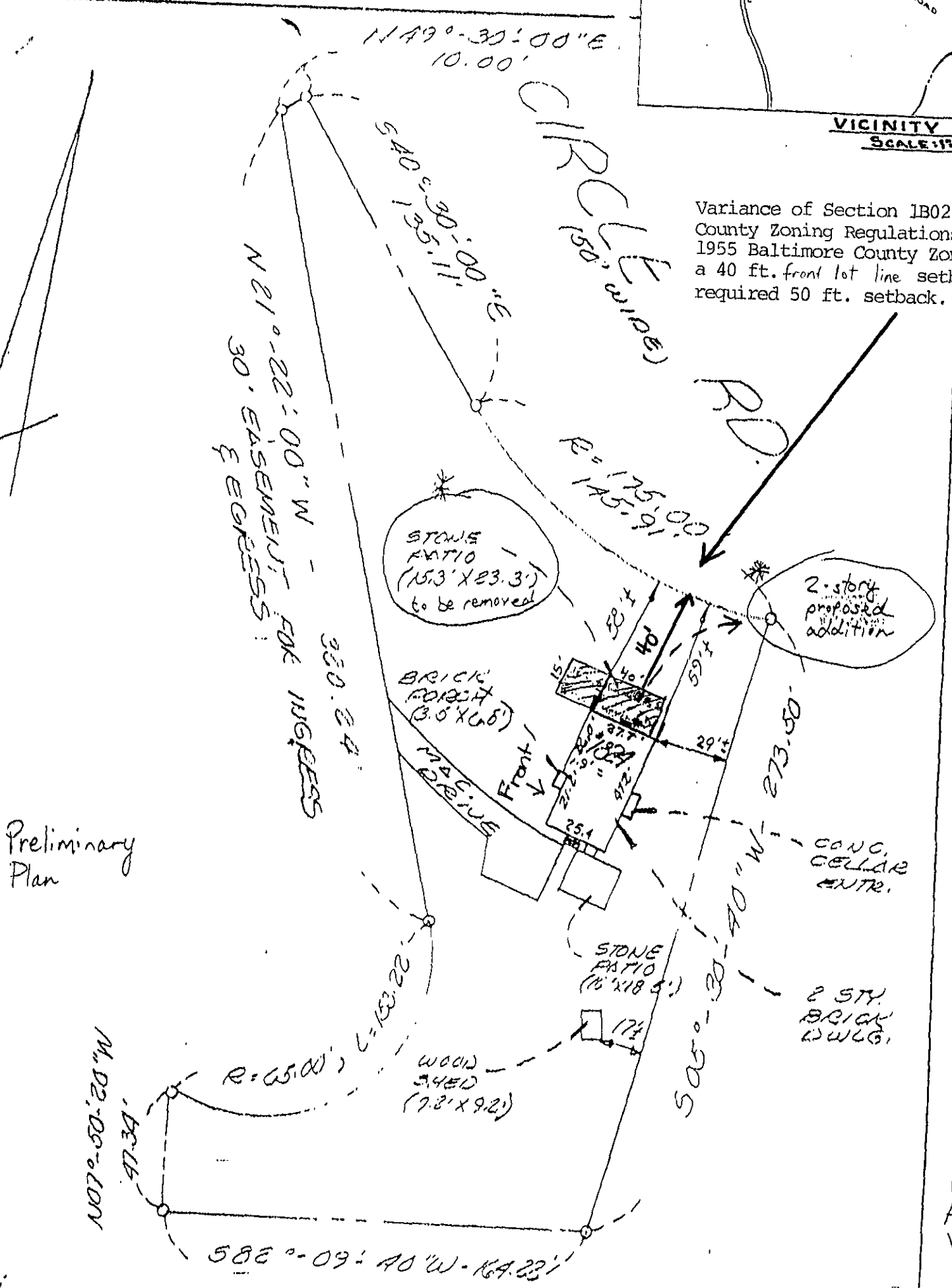
95-318-A



95-318-A



Variance of Section 1B02.3.B. of the Baltimore County Zoning Regulations (Section 202.2 of the 1955 Baltimore County Zoning Regulations) to permit a 40 ft. front lot line setback in lieu of the required 50 ft. setback.



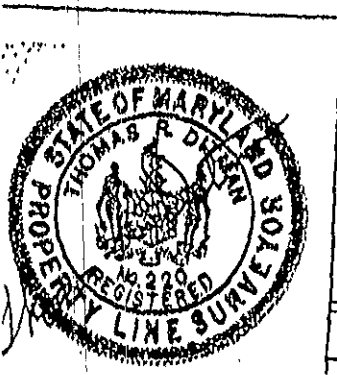
Preliminary Plan

MICROFILMED

NOTE:
1) BEING LOT 1, AS SHOWN ON PLAT OF "CIRCLE HILL"
RECORDED IN BALTO. CO. IN PLAT BOOK NO. GLB 251-7.
2) THIS PROPERTY LIES IN ZONE C (AREA OF MINIMAL
FLOODING) AS SHOWN ON FIRM MAP NO. 24000 0245
DATED FEB 2, 1989.

Plat To Accompany
Administrative
Variance

Election District - 9
Councilmanic
District - 4
Acreage - 1.173



LOCATION SURVEY
1824 CIRCLE ROAD
BALTIMORE COUNTY, MD.

SSM
SPOTTS, STEVENS and MCCOY, INC.
ENGINEERS • SURVEYORS
PLANNERS • SCIENTISTS
555 Fairmount Ave., Suite 200
Towson, MD 21204
(301) 494-0500

I hereby certify that I have made a survey of this lot for the purpose of locating the improvements thereon and that they are located as shown.
This plat is not intended for use in establishing property lines.

N/A MINI J.K. TRD 1/4 5249 9148

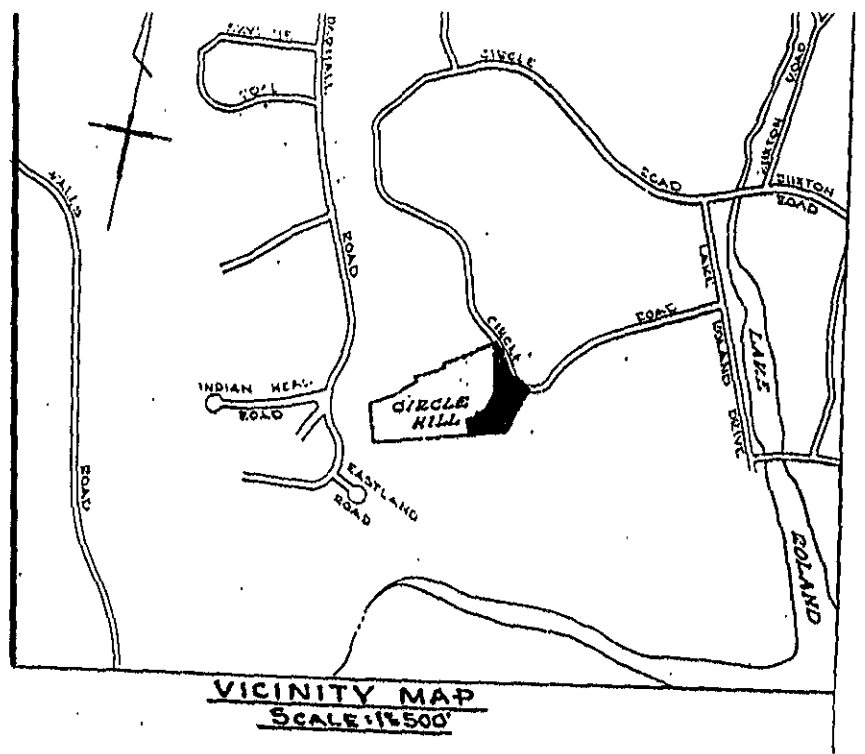
316
95-318-A

Property Owner: Peter C. and Sophie M. Gerard
Property Address: 1824 Circle Road, Ruxton, Md 21204

Notes:

1. Acreage: 1.173 ac.
2. Election District: 9th
3. Councilmanic District: 4th
4. No prior zoning cases on site

William & Lisa Tate
6219/515



Variance of Section 1B02.3.B, of the Baltimore County Zoning Regulations (Section 202.2 of the 1955 Baltimore County Zoning Regulations) to permit a 40 ft. front lot line setback in lieu of the required 50 ft. setback.

95-318-A

Elizabeth Williams
1518/574

William & Shelia Childs
6203/246

Notes:

1. Being Lot 1, as shown on plat of "Circle Hill" recorded in Baltimore County in Plat Book No. GLB 25-7.
2. This property lies in zone '0' (area of minimal flooding) as shown on Firm Map No. 240010 0245 dated February 2, 1989.

LOCATION SURVEY
1824 CIRCLE ROAD
BALTIMORE COUNTY, MD.

I hereby certify that I have made a survey of this lot for the purpose of locating the improvements thereon and that they are located as shown.

This plat is not intended for use in establishing property lines



SSM

SPOTTS, STEVENS and McCOY, INC.
ENGINEERS • SURVEYORS
PLANNERS • SCIENTISTS
555 Fairmount Ave., Suite 200
Towson, MD 21204
(301) 494-0500

NIS	MINI	J.K.	TRD	1" Φ	5.24.91	9148
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#316
REV 3/29/95



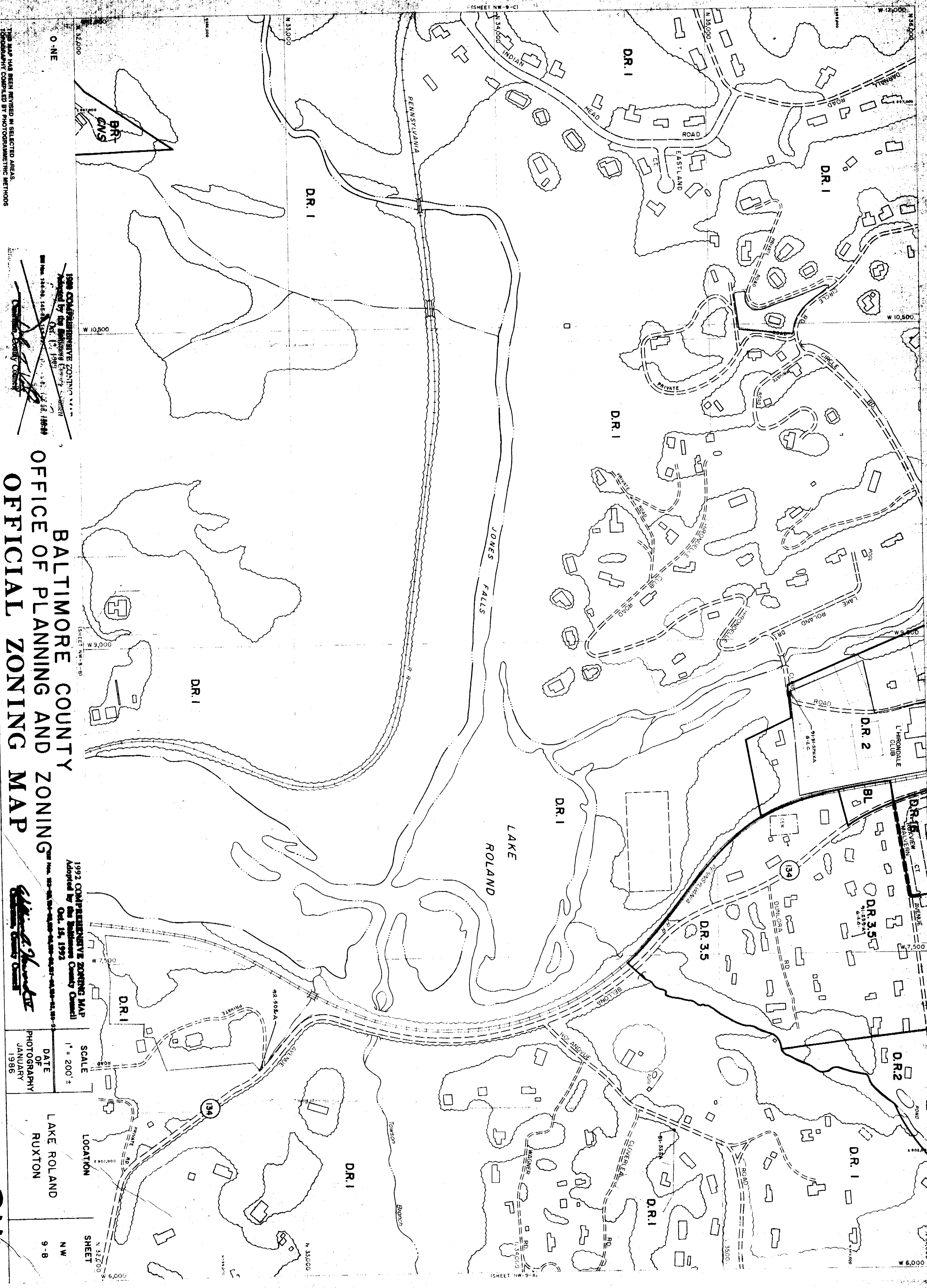
PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	LAKE ROLAND MICROFILMED RUXTON	NW 9-8
DATE OF PHOTOGRAPHY JANUARY 1986	316	

MICROFILMED

95-318-A



**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

1992 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 15, 1992
William J. Flannery
 Baltimore County Council

SCALE	1" = 200'
DATE OF PHOTOGRAPHY	JANUARY 1986
LOCATION	LAKE ROLAND
SHEET	NW 9-B

1998 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 15, 1998
William J. Flannery
 Baltimore County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
 BY BRUNNANT-MOORE, INC., BALTIMORE, MD 21210

95-318-A

316

W-80071.M

IN RE: PETITION FOR ADMIN. VARIANCE
SW/S Circle Road, approx. 550' SW
of Lake Roland Drive
(1824 Circle Road)
9th Election District
4th Councilmanic District
Peter C. Gerard, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-318-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 1824 Circle Road, located in the Lake Roland/Ruxton area of Towson. The Petition was filed by the owners of the property, Peter C. and Sophie M. Gerard, through their attorney, Robert A. Hoffman, Esquire. The Petitioners seek relief from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section 202.2 of the 1955 B.C.Z.R.) to permit a front lot line setback of 40 feet in lieu of the required 50 feet for a proposed two-story addition in accordance with the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners also seek relief, pursuant to Section 202.3 of the B.C.Z.R., in that the proposed addition will be placed in what should be considered the side yard of the subject property which is not a "corner lot", and thus, no variance is required.

After due consideration of the relief requested, the site plan submitted and documentation contained in the case file, I am inclined to agree with the Petitioners that the proposed addition will be located in the side yard and that the subject property is not a corner lot. This property is an irregularly shaped parcel located along a curve in Circle Road. The dwelling on the property is situated such that the side of the

dwelling on which the proposed addition is to be placed fronts Circle Road. Thus, in the opinion of this Deputy Zoning Commissioner, the requested variance is not necessary and shall be dismissed as moot.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be dismissed.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 26th day of April, 1995 that the Petition for Administrative Variance seeking relief from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section 202.2 of the 1955 B.C.Z.R.) to permit a front lot line setback of 40 feet in lieu of the required 50 feet for a proposed two-story addition, in accordance with Petitioner's Exhibit 1, be and is hereby DISMISSED AS MOOT.

IT IS FURTHER ORDERED that inasmuch as the proposed addition will be located in the Petitioner's side yard, no variance is necessary.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

April 20, 1995

(410) 887-4386

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR ADMINISTRATIVE VARIANCE
SW/S Circle Road, approx. 550' SW of Lake Roland Drive
(1824 Circle Road)
9th Election District - 4th Councilmanic District
Peter C. Gerard, et ux - Petitioners
Case No. 95-318-A

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been dismissed in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Peter C. Gerard
1824 Circle Road, Ruxton Md. 21204

People's Counsel

File



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1824 Circle Road, Ruxton, Maryland 21204
which is presently zoned DR1

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.B of the Baltimore County Zoning Regulations (Section 202.2 of the 1955 Baltimore County Zoning Regulations) to permit a 40 ft. front lot line setback in lieu of the required 50 ft. setback.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

See Attached Affidavit

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/lessor

(Type or Print Name)

Signature

Address

City

State

Zipcode

Phone No.

Address

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ZONING DESCRIPTION FOR 1824 Circle Road, Ruxton, Maryland 21204
Election District 9th Councilmanic District 4th
Beginning at a point on the south side of Circle
(north, south, east or west)
Road which is 50 feet
(street on which property fronts) (number of feet of right-of-way width)
wide at a distance of 1600 feet west of the
(number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street Lake Roland Drive
(undetermined pursuant to (name of street)
Land Acquisition)
which is 1 wide. *Being Lot # 1
(number of feet of right-of-way width)
Block Section in the subdivision of
Circle Hill
(name of subdivision) as recorded in Baltimore County Plat
Book # GLB 25 Folio # 7 containing
1.173 acres
(square feet and acres)

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Town, Maryland
District 9th
Date of Posting 3/24/95
Posted for: Variance
Petitioner: Peter C. & Sophie M. Gerard
Location of property: 1824 Circle Rd. 9th
Location of Sign: 1824 Circle Rd. 9th
Remarks:
Posted by: [Signature]
Number of Signs: 7
Date of return: 3/24/95

receipt
95-318-A
Account: ROC-6150
Number 316 (WCR)
DROP-OFF --- NO REVIEW
Date 3/14/95
#100 - VARIANCE --- \$50.00
#100 - SIGN POSTING --- \$5.00
TOTAL --- \$55.00
Legal Owner: Peter C. Gerard & Sophie M. Gerard
1824 Circle Road
Ruxton, MD 21204
Zoning: R-1
Attorney: Robert A. Hoffman
Check from: Venable, Baetjer & Howard
Please Make Checks Payable To: Baltimore County
Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, MD 21204
887-3353
Provisional Approval
Permit No: 6227511
1824 Circle Road
Ruxton, Md 21204
DATE: 3/16/95
The issuance of this permit in no way grants or implies approval of
any matter relating to this property which is in conflict with the
Baltimore County Zoning Regulations.
The issuance of this permit is subject to the following Conditions:
(Please check appropriate box(es))
☒ Owner has filed for a public hearing, Item # 316
☐ Owner must file for a public hearing within days
before the Zoning Commissioner requesting relief from all
conflicts with the Baltimore County Zoning Regulations.
☐ Owner/contract purchaser must submit a complete revised site
development plan and requested accompanying information
within days resolving all possible conflicts with the
Baltimore County Zoning Regulations.
The owner/contract purchaser may proceed at his own risk with the
construction indicated in the above-referenced permit.
However, in the event that any or all of the above conditions are not
completed as stipulated, and/or the petition for relief has been
denied, dismissed or withdrawn, this provisional approval is rescinded
forthwith.
Immediately thereafter the owner/contract purchaser must return the
property to the condition it was in prior to the beginning of said
construction and accept full financial liability in the matter.
I have read the above statement and I agree to abide by the decision of
the Zoning Commissioner if applicable in this matter. I also hereby
certify that I the undersigned am in fact the owner and if applicable
the contract purchaser and not just an agent for same.
Signed: [Signature]
Owner
Signed: [Signature]
Contract Purchaser
(Please print clearly)
Name: Peter C. Gerard
Address: 1824 Circle Rd.
Ruxton, MD 21204
Work Phone: 296-1063
Home Phone: [Blank]
Zoning Office Staff
Name: [Blank]
Address: [Blank]
Work Phone: [Blank]
Home Phone: [Blank]

receipt
Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
Account: ROC-6150
Number 316 (WCR)
DROP-OFF --- NO REVIEW
Date 3/29/95
#100 - REVISIONS --- \$50.00
(Revised Plats, Descriptions, Photos)
Legal Owner: Peter C. & Sophie M. Gerard
1824 Circle Road
Check from: Venable, Baetjer
and Howard
Please Make Checks Payable To: Baltimore County
Cashier Validation

VENABLE, BAETJER & HOWARD, LLP
CHECK NO. 0003043
OUR REF. NO. YOUR INVOICE NO. INVOICE DATE INVOICE AMOUNT AMOUNT PAID DISCOUNT TAKEN NET CHECK AMOUNT
03/10/95 \$85.00
25551:111121 - Peter Gerard - 1824 Circle Road
Baltimore County, Maryland
\$50.00 Administrative Variance Filing Fee
35.00 Posting Fee

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204
(410) 887-3353
March 23, 1995
NOTICE OF CASE NUMBER ASSIGNMENT
Re: CASE NUMBER: 95-318-A (Item 316)
1824 Circle Road
SW of Circle Road, approximately 550' SW of Lake Roland Drive
9th Election District - 4th Councilmanic
Legal Owner(s): Peter C. Gerard and Sophie M. Gerard
Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case
number. Contact made with this office regarding the status of this case should reference the case number and
be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.
1) Your property will be posted on or before March 26, 1995. The closing date (April 10, 1995) is the
deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will
be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the
requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written
notification as to whether or not your petition has been granted, denied, or will go to public hearing.
2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the
Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County
newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).
3) Please be advised that you must return the sign and post to this office. They may be returned after the
closing date. Failure to return the sign and post will result in a \$60.00 charge.
PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE
PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS
ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER
WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.
[Signature]
Arnold Joblon
Director
cc: Robert A. Hoffman, Esq.

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204
(410) 887-3353
April 5, 1995
Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204
RE: Item No.: 316
Case No.: 95-318-A
Petitioner: Peter Gerard, et ux
Dear Mr. Hoffman:
The Zoning Advisory Committee (ZAC), which consists of representa-
tives from Baltimore County approving agencies, has reviewed the plans
submitted with the above referenced petition. Said petition was accepted
for processing by the Office of Zoning Administration and Development
Management (ZADM), Development Control Section on March 14, 1995.
Any comments submitted thus far from the members of ZAC that offer or
request information on your petition are attached. These comments are not
intended to indicate the appropriateness of the zoning action requested,
but to assure that all parties; i.e., zoning commissioner, attorney,
petitioner, etc. are made aware of plans or problems with regard to the
proposed improvements that may have a bearing on this case. Only those
comments that are informative will be forwarded to you; those that are not
informative will be placed in the permanent case file.
If you need further information or have any questions regarding these
comments, please do not hesitate to contact the commenting agency or Joyce
Watson in the zoning office (887-3391).
Sincerely,
W. Carl Richards, Jr.
Zoning Supervisor
WCR/jw
Attachment(s)

SHA Maryland Department of Transportation
State Highway Administration
O. James Lighthizer
Secretary
Hal Kassoff
Administrator
3-24-95
Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204
Re: Baltimore County
Item No.: 316 (WCR)
Dear Ms. Watson:
This office has reviewed the referenced item and we have no objection to
approval as it does not access a State roadway and is not effected by any State Highway
Administration project.
Please contact Bob Small at 410-333-1350 if you have any questions.
Thank you for the opportunity to review this item.
Very truly yours,
[Signature]
for Ronald Burns, Chief
Engineering Access Permits
Division
BS/
My telephone number is [Blank]
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department
700 East Joppa Road Suite 901
Towson, MD 21286-5500
(410) 887-4500
DATE: 03/22/95
Arnold Joblon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP 1102
RE: Property Owners SEE BELOW
LOCATION: DISTRICT MEETING OF MAR. 27, 1995
Item No.: SEE BELOW Zoning Agenda:
Gentlemen:
Pursuant to your request, the referenced property has been surveyed
by this Bureau and the comments below are applicable and required to
be corrected or incorporated into the final plans for the property.
8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 314, 315, 316, 317,
318, 319 AND 320.
RECEIVED
MAR 24 1995
ZADM
REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4581, MS-1102F
cc: File

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: *Wb* Arnold Jablon, Director DATE: April 3, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for April 3, 1995
Items 314, 315, 316, 317, 318, 319, and 320

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

RWB:aw

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO: ZADM DATE: *4/24/95*

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: *3/27/95*

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: *314*
315
316
317
318

LS:sp

LETTY2/DEPRM/TXTSPB

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March 22, 1995

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, MD 21204

RE: Preliminary Petition Review (Item #316)
Legal Owner: Peter C. & Sophie M. Gerard
1824 Circle Road
9th Election District

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$50.00 revision fee.

See attached hearing checklist, which has been marked up to reflect the comments of this office.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

Catherine A. Milton
Catherine A. Milton
Planner I

CAM:scj

Enclosure (receipt)

cc: Zoning Commissioner

Printed with Soy-based Ink
on Recycled Paper

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 7, 1995

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, MD 21204

RE: Preliminary Revision Review (Item #316)
Legal Owner: Peter C. & Sophie M. Gerard
1824 Circle Road
9th Election District

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced revisions were accepted for filing without a final filing review by the staff. The revisions were accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed no unaddressed zoning issues and/or incomplete information. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$50.00 revision fee.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

Catherine A. Milton
Catherine A. Milton
Planner I

CAM:scj

Enclosure (receipt)

cc: Zoning Commissioner

Printed with Soy-based Ink
on Recycled Paper

ZONING HEARING CHECKLIST

REVISED 5/94

This checklist is provided to you, for your information only, and is not to be considered legal advice.

First, and most importantly: You must understand that the relief you have requested is a quasi-judicial decision and you are responsible for meeting the burden of law required by the Baltimore County Zoning Regulations (BCZR). A judicial hearing is an adversary process and, therefore, there may be opposition to your request. During a judicial hearing, the parties will be permitted to testify, present evidence, and cross-examine witnesses. Either the Zoning Commissioner or the Deputy Zoning Commissioner will rule on the evidence and testimony to determine whether or not the petition will be granted.

Second: You must understand that if a hearing is required, you are permitted to have representation by an attorney of your choice. You are not required to have an attorney, but it is recommended that you consider obtaining legal representation. But, if you are incorporated, it is considered a requirement that you be represented by an attorney.

Third: It is strongly recommended that you read and understand the requirements of the BCZR.

Fourth: No employee of Office of Zoning Administration and Development Management may provide legal advice to anyone. The representatives and opinions of any employee are not to be construed as definitive in any case. Only the decision of the Zoning Commissioner rendered after the statutory required public hearing is considered dispositive in matters relating to the interpretation of the BCZR.

Even though there may not be opposition in a given case, your request may be denied.

For further information or to make an appointment, please contact:

Development Control
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Room 109
Towson, MD 21204
Telephone: 887-3391

Individual
Residential
Lots

Variances
Special Hearings

Plan Requirements

12 copies required. The plan shall be legible and clear enough for microfilming and in no case can it be larger than 24" x 36". Plans must be trimmed or folded to 9 1/2" x 11". They shall contain all the information as set forth below:

1. NORTH ARROW, ELECTION AND COUNCILMANIC DISTRICTS, OWNER'S NAME, PROPERTY ADDRESS, DATE, AND TITLE OF PLAN "PLAN TO ACCOMPANY HEARING."
2. SCALE OF DRAWING: 1"=20' or 1"=50'. If land area exceeds 40 acres, use 1"=100'.
3. OUTLINE OF PROPERTY: Indicated by a heavy bold line. Include lot lines, distances and area of the parcel(s) by square feet and acreage. (To determine acreage, divide square feet by 43,560.)
4. VICINITY MAP: 1"=1,000' must be included on all plans WITH THE SITE CLEARLY AND ACCURATELY DEPICTED. THE VICINITY MAP MUST BE ON THE SAME SHEET AS THE SITE PLAN.
5. ZONING HISTORY: Case number(s), date of the Order(s), decision(s) and restriction(s) of any prior zoning hearings must be listed and addressed on the plan.
6. OWNERSHIP: of all adjacent parcels, including owner's names, lot numbers, subdivision names, tax account numbers, and/or deed references. (This information is available from the Tax Assessment Office, 2nd floor, Jefferson Building, 105 W. Chesapeake Avenue, Towson.)
7. LOCATION: Street address and name of adjoining street(s), beginning point of description and distance from property corner to the nearest intersecting street centerline. (Check record plats, State tax maps, or utility maps in Room 206, County Office Building.) This beginning point and distance should also be the first statement in the zoning description.
8. STREET AND EASEMENT WIDTH: Include all boundary streets with existing and proposed right of way and paving widths. Include any existing or proposed easements or rights of way and indicate if they are public or private.
9. BUILDINGS: Location, dimensions, height, and use of all existing buildings and improvements with building-to-property line and building-to-building setbacks shown for each structure. Also, the front orientation of any dwellings and the use, dimension, and location of all proposed buildings or additions and the proposed use if the use is to be changed. The general use, building, and lot dimensions and all facing property line setbacks of buildings on adjoining lots.
10. FRONT AVERAGE SETBACKS: If a new dwelling is proposed or a proposed addition is located on the street side (front) and if either adjacent lot is unimproved and your property is zoned D.R. 2, D.R. 3.5 or D.R. 5.5, then you must show on your site plan the front setback of all dwellings on your side of the street within a distance of 200 feet from the joint side property lines.
11. UTILITIES: Show the location and size of all public utilities and rights of way on and adjacent to the site. If no public utilities exist, well and septic locations and setbacks must be indicated. (Public utilities reference - Room 206, County Office Building.)

8

12. FEATURES: Location of streams, stormwater management systems, drainage pipe systems on or within 50 feet of the property, and the 100-year floodplain, if any. If not in the floodplain, note this on the plan.
13. B.O.C.A.: Buildings must meet the building code and fire code requirements with regard to type of construction, windows, setbacks, etc.
14. SPECIAL REQUIREMENTS: For special hearings on two-apartment dwellings, floor plans detailing each floor with room sizes and uses are required. For waterfront construction such as piers, ask for a copy of the waterfront construction checklist (available in Room 109).

ALL OF THE ABOVE INFORMATION MUST BE COMPLETE AND ACCURATE OR THE PETITION CANNOT BE ACCEPTED FOR FILING.

9

EXAMPLE 3 - Zoning Description - 3 copies

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANKS". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR _____ (address)

Beginning at a point on the _____ side of _____ (name of street) (north, south, east or west) which is _____ (number of feet of right-of-way width) street on which property fronts) wide at the distance of _____ (number of feet) of the centerline of the nearest improved intersecting street (name of street) which is _____ (number of feet of right-of-way width) wide. *Being Lot # _____ Block _____ Section # _____ in the subdivision of _____ (name of subdivision) as recorded in Baltimore County Plat Book # _____, Folio # _____, containing _____ (square feet or acres) Also known as _____ (property address) and located in the _____ Election District, _____ Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber _____, Folio _____" and include the measurements and directions (notes and bounds only) here and on the plat in the correct location.

Typical notes and bounds: N.87° 12' 13" E. 321.1 ft., S.18° 27' 03" E. 87.2 ft., S.62° 19' 00" W. 318 ft., and N.08° 15' 22" W. 80 ft. to the place of beginning.

CR/RESID (TXTSOPH)
REVISED 5/16/94

10

1349-95
3/18/95
to file

1811 Circle Road
Ruxton, Maryland 21204-6416
telephone: 410-247-8700 x299
facsimile: 410-247-9672

March 27, 1995

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Ave.
Towson, MD 21204

Att: Arnold Jablon, Director

Re: CASE NUMBER 95-318-1 (Item 316)
1824 Circle Road
SW/S Circle Road, approximately 550' SW of Lake Roland Dr.
9th Election District - 4th Councilmanic
Legal Owner(s): Peter C. Gerard and Sophie M. Gerard

Gentlemen:

We are writing in support of the Zoning Variance requested by Mr. and Mrs. Gerard and urge Baltimore County Office of Zoning Administration and Development Management to grant the requested zoning variance.

My wife, Lisa M. Tate, and I are the legal owners of the property across Circle Road from the Gerard property. We have reviewed the Gerard's architectural plans and reviewed the requirement for a variance and believe that their addition to their home will be an asset and an improvement to the Circle Road community.

Sincerely,

William J. Tate
William J. Tate

c/c Mr. and Mrs. Peter C. Gerard

RECEIVED
MAR 28 1995
ZADM

VENABLE
BUTLER AND HOWARD, LLP
Including professional corporation
210 Allegheny Avenue
Post Office Box 2517
Towson, Maryland 21285-2517
(410) 894-6200; Fax (410) 821-0147

316

OFFICES IN
MARYLAND
WASHINGTON, D.C.
VIRGINIA
1054-75
Dep-044
Review
Mar 3/3

March 10, 1995

Hand Delivery

Mr. Carl Richards
Zoning Administration and Development
Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Property Owner - Peter and Sophie Gerard
Location - 1824 Circle Road, Ruxton, Maryland 21204
Petition for Administrative Zoning Variance

Dear Mr. Richards: *Carl*

I am hereby drop filing the enclosed Administrative Zoning Variance Petition with regard to the above captioned property. Kate Wilton is familiar with this property and the reasoning behind this variance request.

If you or Kate have any questions, please give Rob Hoffman or myself a call.

Sincerely,

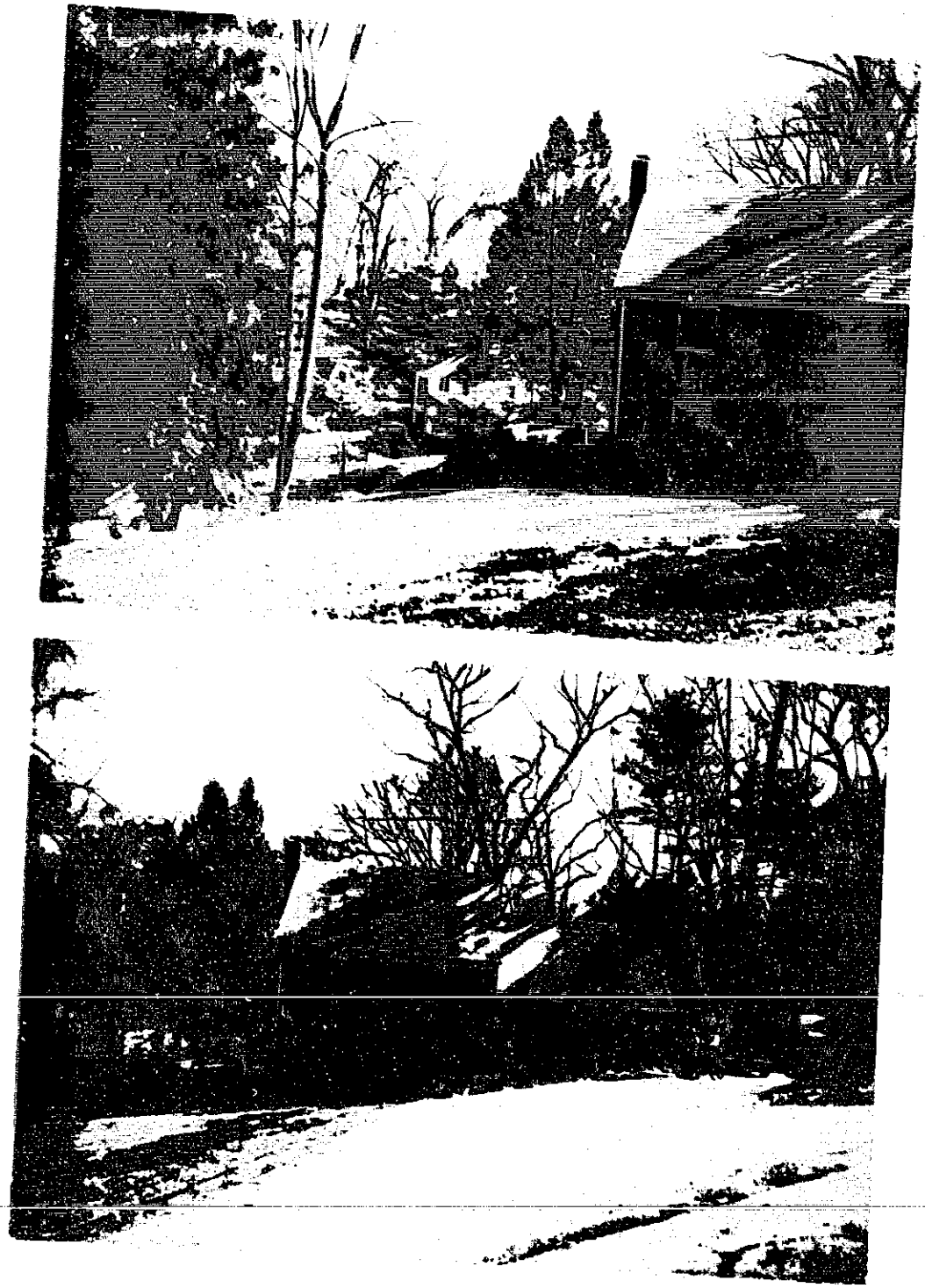
Barbara W. Ormord
Barbara W. Ormord
Legal Assistant

Enclosure
cc: Peter C. Gerard
Robert A. Hoffman, Esquire

RECEIVED
MAR 10 1995
ZADM



95-318-A



95-318-A



95-318-A



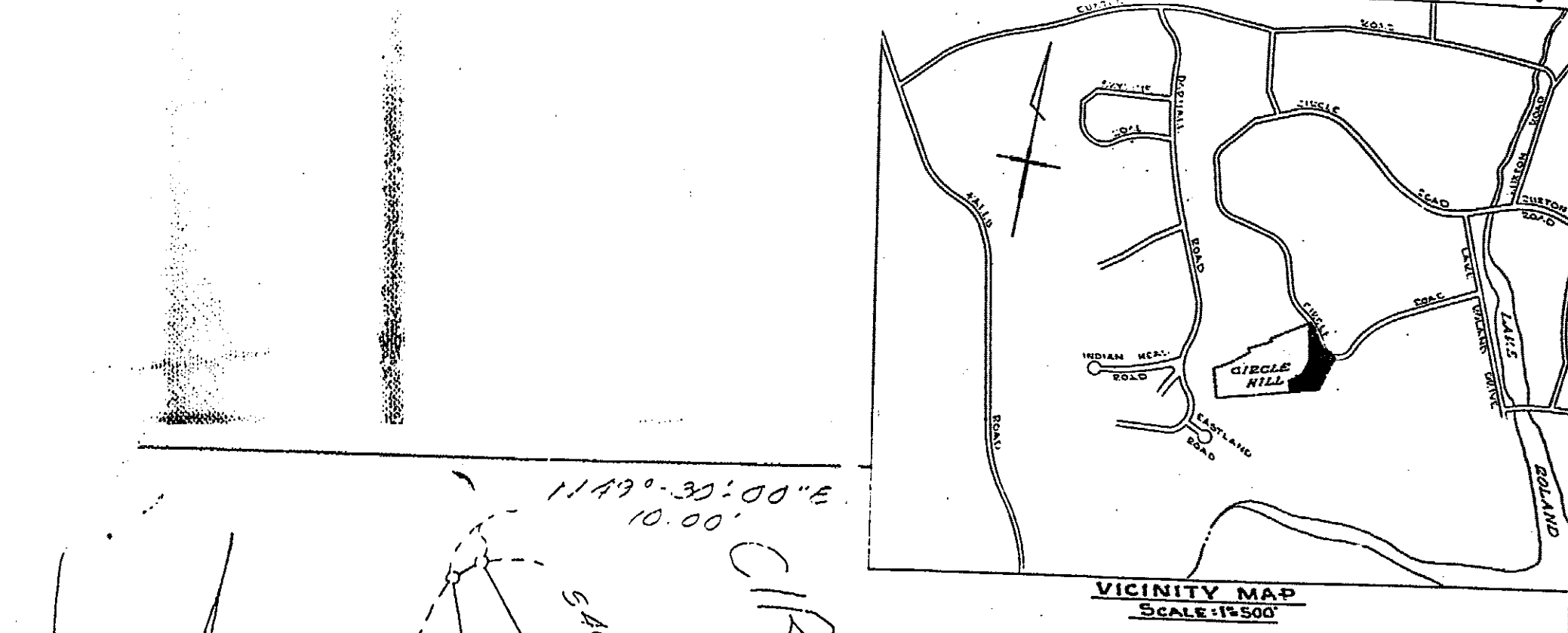
95-318-A



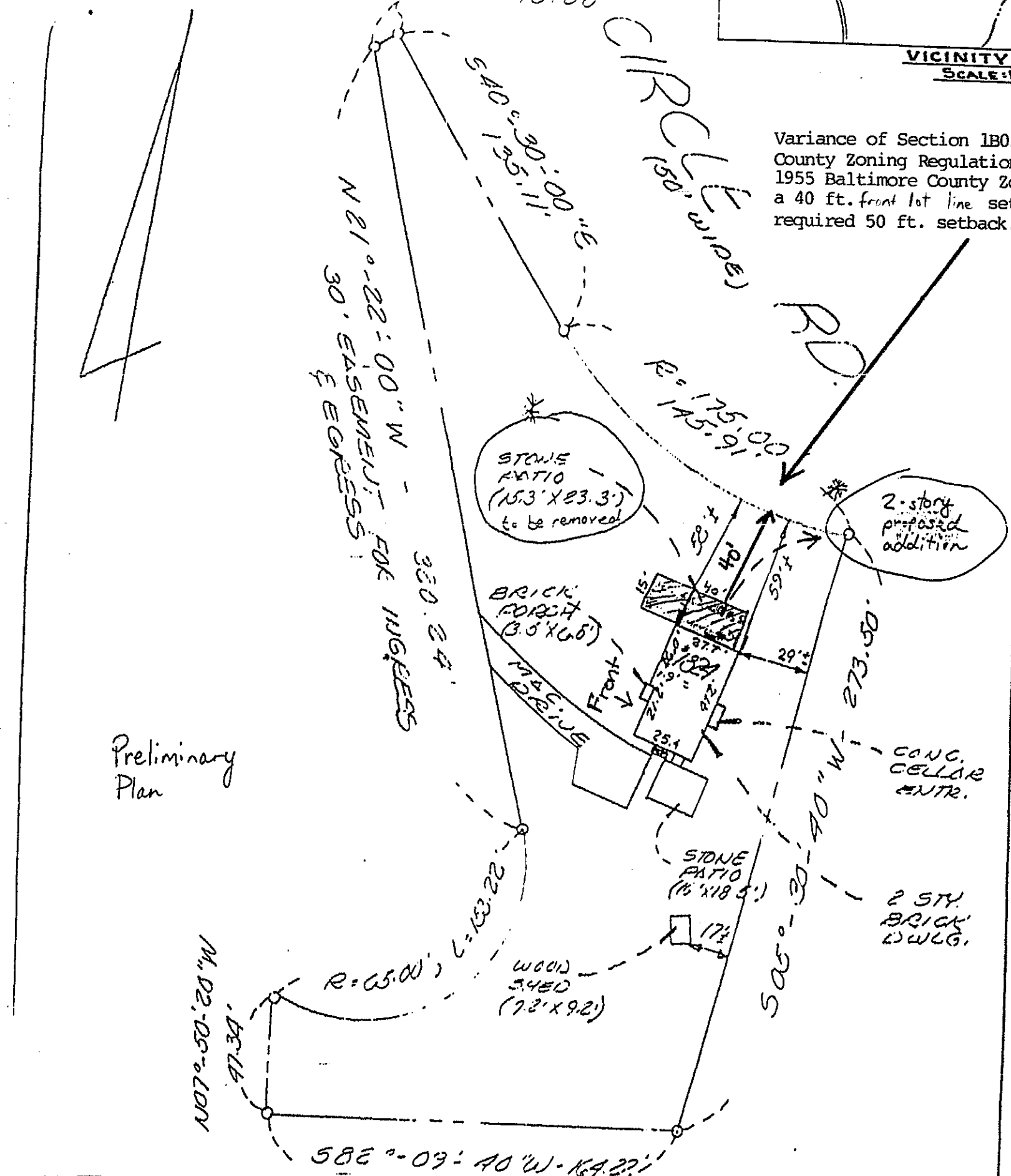
95-318-A



95-318-A



Variance of Section 1B02.3.B. of the Baltimore County Zoning Regulations (Section 202.2 of the 1955 Baltimore County Zoning Regulations) to permit a 40 ft. front lot line setback in lieu of the required 50 ft. setback.



NOTE:
1) BEING LOT 1, AS SHOWN ON PLAT OF "CIRCLE HILL" RECORDED IN BALTO. CO. IN PLAT BOOK NO. GLB 25-7.
2) THIS PROPERTY LIES IN ZONE 'C' (AREA OF MINIMAL FLOODING) AS SHOWN ON FIRM MAP NO. 24000 0245 DATED - FEB. 2, 1989.

LOCATION SURVEY
1824 CIRCLE ROAD
BALTIMORE COUNTY, MD.



I hereby certify that I have made a survey of this lot for the purpose of locating the improvements thereon and that they are located as shown.
This plat is not intended for use in establishing property lines.

SPOTTS, STEVENS AND MCCOY, INC.
ENGINEERS • SURVEYORS
PLANNERS • SCIENTISTS
555 Fairmount Ave., Suite 230
Towson, MD 21204
(301) 494-0600

N/A MINI V.K. TRD 1/40' 5.249 912A

Plat To Accompany
Administrative
Variance

Election District - 9
Councilmanic District - 4
Acreage - 1.173

316

95-318-A

PLAT TO ACCOMPANY PETITION FOR ADMINISTRATIVE VARIANCE

Property Owner: Peter C. and Sophie M. Gerard
Property Address: 1824 Circle Road, Ruxton, Md 21204

- Notes:
1. Acreage: 1.173 ac.
 2. Election District: 9th
 3. Councilmanic District: 4th
 4. No prior zoning cases on site

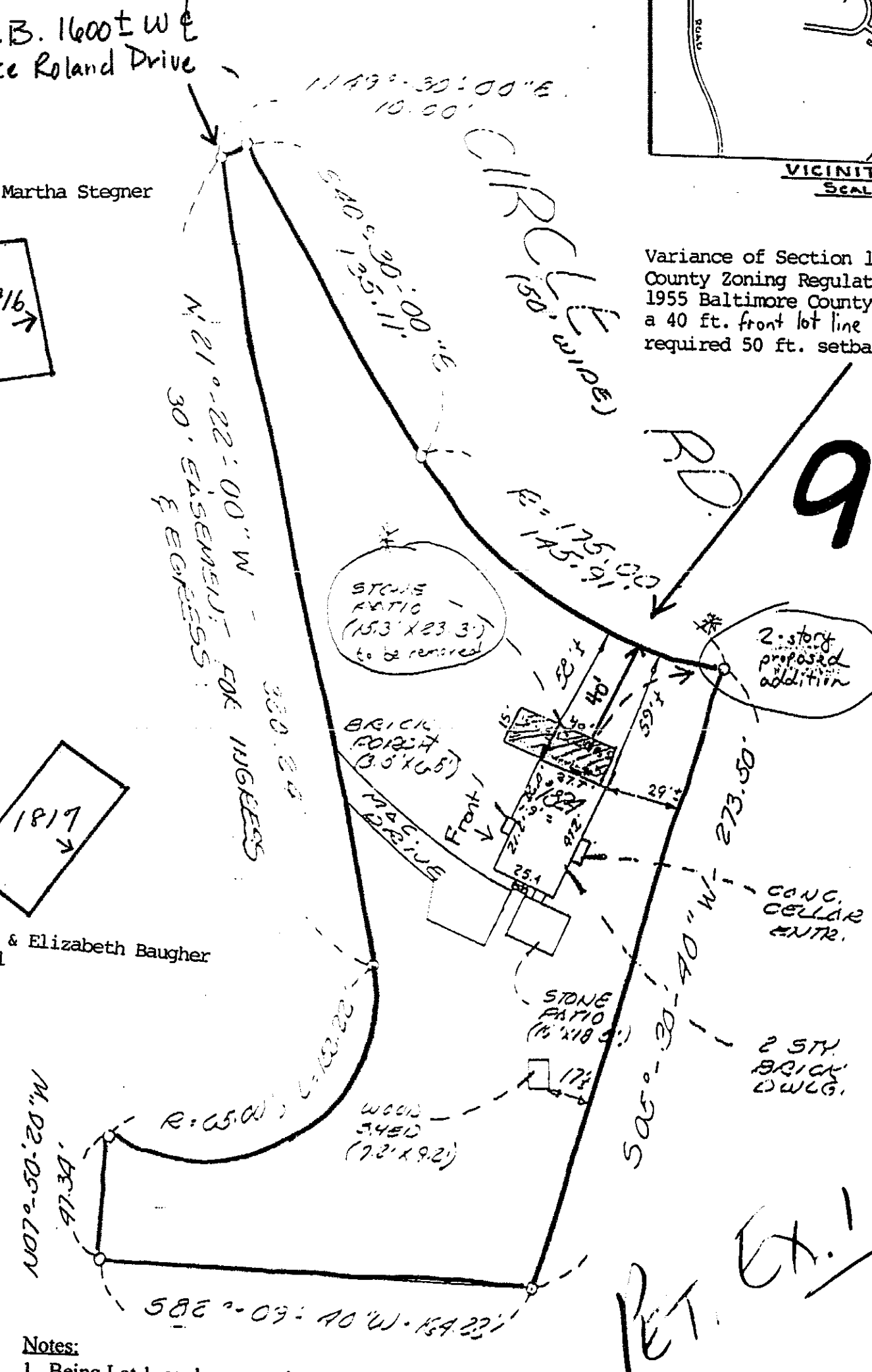
William & Lisa Tate
6219/515

P.O.B. 1600 E W
Lake Roland Drive

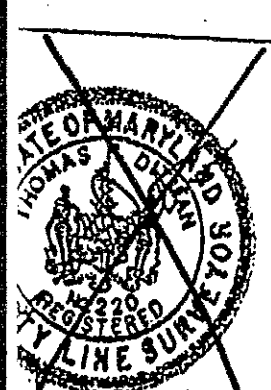
Douglass & Martha Stegner
3749/56

1816

1817
William & Elizabeth Baugher
6731/501



- Notes:
1. Being Lot 1, as shown on plat of "Circle Hill" recorded in Baltimore County in Plat Book No. GLB 25-7.
 2. This property lies in zone 'C' (area of minimal flooding) as shown on Firm Map No. 240010 0245 dated February 2, 1989.



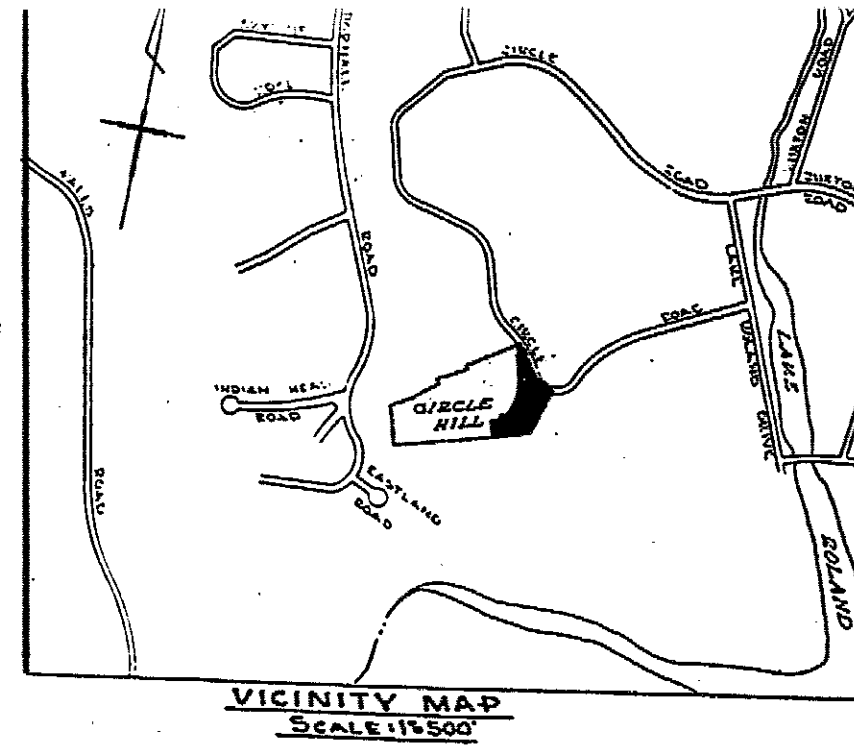
LOCATION SURVEY
1824 CIRCLE ROAD
BALTIMORE COUNTY, MD.



I hereby certify that I have made a survey of this lot for the purpose of locating the improvements thereon and that they are located as shown.
This plat is not intended for use in establishing property lines.

SPOTTS, STEVENS AND MCCOY, INC.
ENGINEERS • SURVEYORS
PLANNERS • SCIENTISTS
555 Fairmount Ave., Suite 230
Towson, MD 21204
(301) 494-0600

N/A MINI V.K. TRD 1/40' 5.249 912A



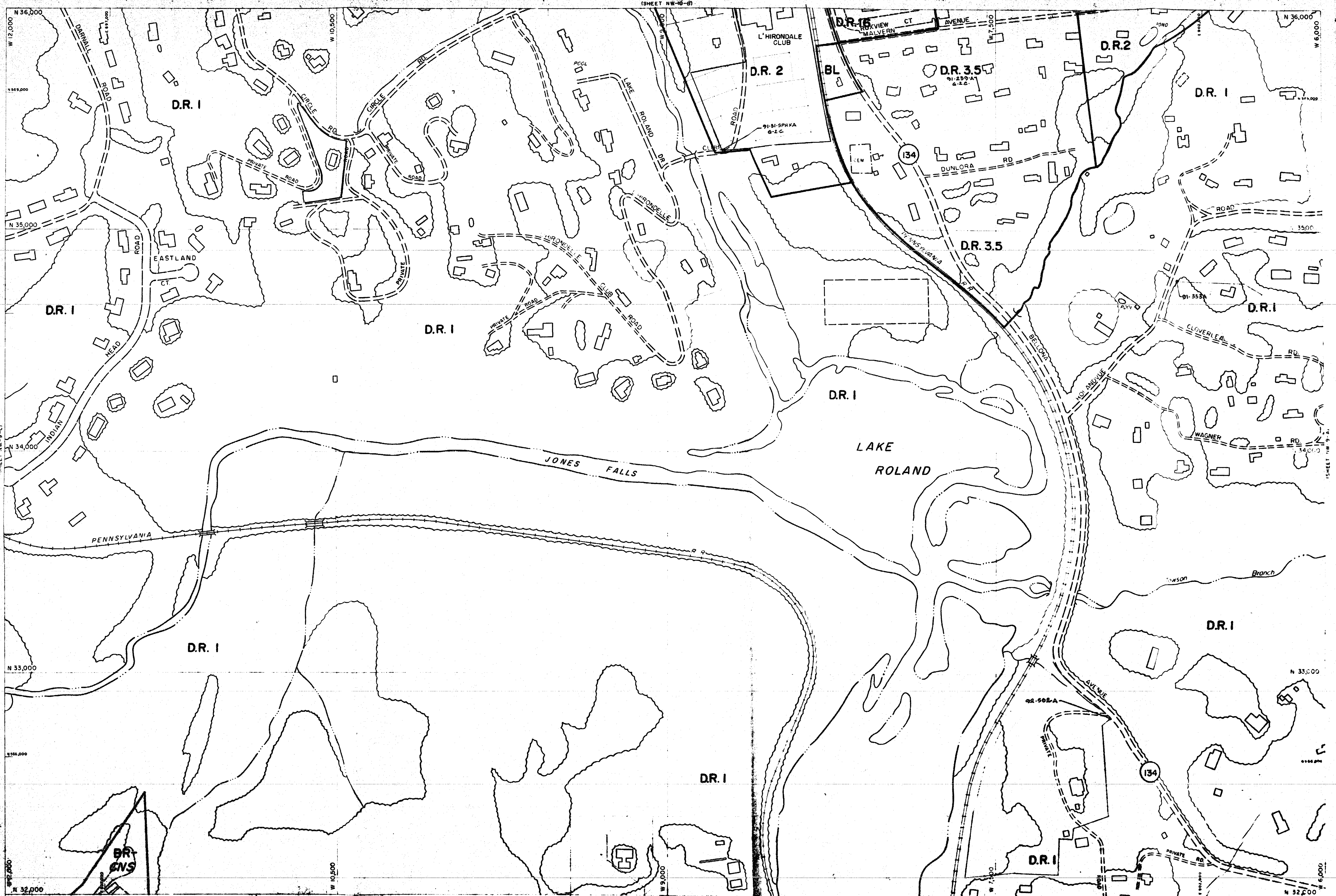
Variance of Section 1B02.3.B. of the Baltimore County Zoning Regulations (Section 202.2 of the 1955 Baltimore County Zoning Regulations) to permit a 40 ft. front lot line setback in lieu of the required 50 ft. setback.

95-318-A

1842
Elizabeth Williams
1518/574

1844
William & Shelia Childs
6203/246

#316
REN 3/29/95



1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Baltimore County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

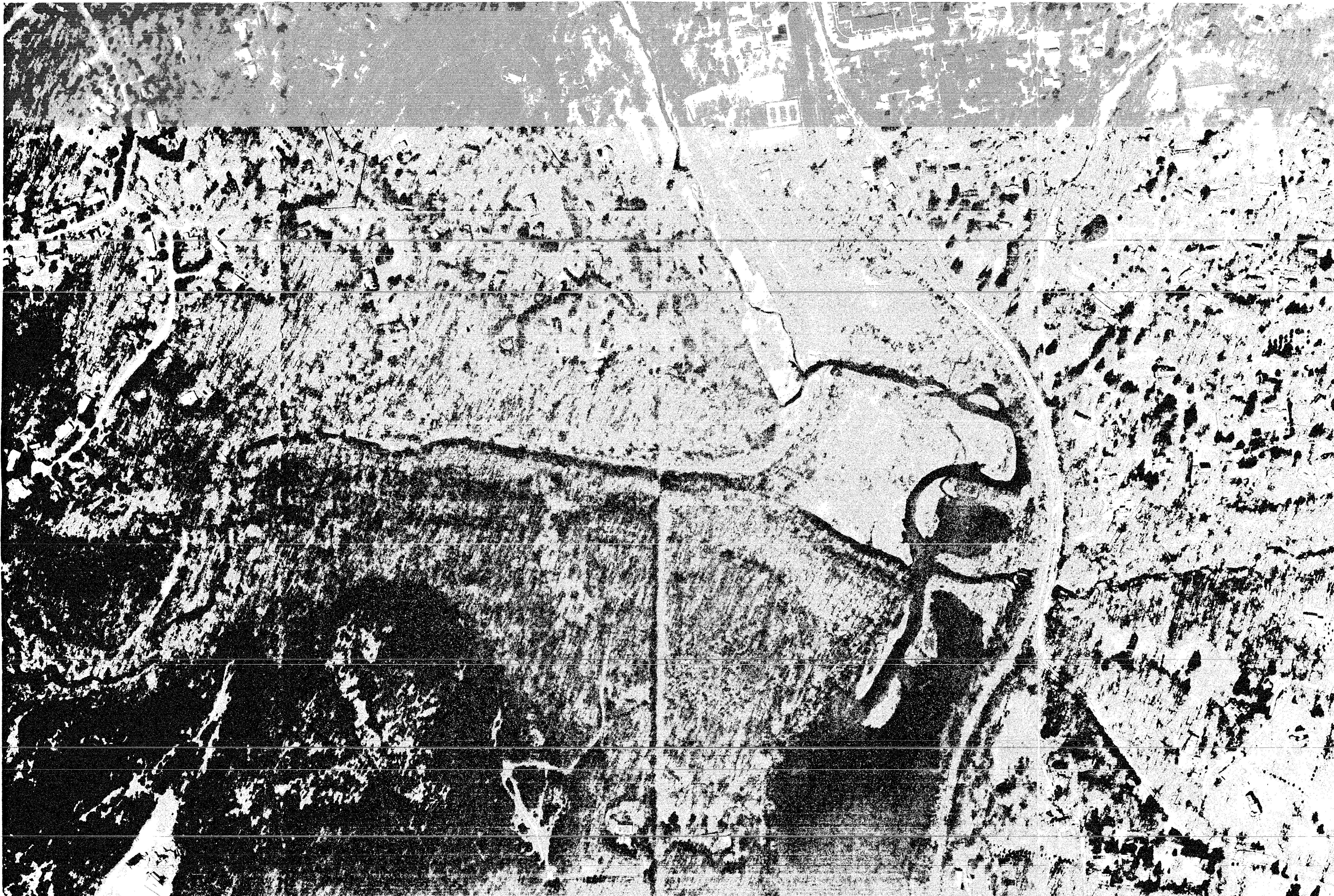
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Baltimore County Council

SCALE 1" = 200'	LOCATION LAKE ROLAND RUXTON	SHEET NW 9-B
DATE OF PHOTOGRAPHY JANUARY 1986		

95-38-A

316



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE 1" = 200' ±	LOCATION LAKE ROLAND RUXTON 316	SHEET NW 9-B
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95-318-A
MICROFILMED